

08-29-01

CPA/1632



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INTELLECTUAL PROPERTY LAW  
(PATENT, BIOTECHNOLOGY, COMPUTER,  
TRADEMARK & TRADE SECRET LAW)

**Docket No. D6080CPA**  
**Anticipated Classification of this application:**  
**Class \_\_\_\_\_ Subclass \_\_\_\_\_**  
**Prior application: 09/245,603**  
**Examiner: Paras, P.**  
**Art unit: 1632**

**ASSISTANT COMMISSIONER FOR PATENTS**  
**BOX CPA**  
**WASHINGTON, D.C. 20231**

**CONTINUED PROSECUTION APPLICATION (CPA)**

- I. This is a request for a filing under the continued prosecution application procedure, 37 CFR 1.53(d).
  - A. A prior complete application Serial Number 09/245,603, was filed on February 5, 1999.
  - B. Under the title: "Adenovirus Vector Containing A Heterologous Peptide Epitope In The HI Loop Of The Fiber Knob" (as filed originally).
  - C. Name of applicants(s) (as originally filed and as last amended) and current correspondence address of applicant(s).

Victor N. Krasnykh  
1832 Arboretum Circle  
Birmingham, Alabama 35216  
Citizen: Russia

Igor Dmitriev  
929 Valley Avenue, Apt. A  
Homewood, Alabama 35209  
Citizen: Russia

David T. Curiel  
824 Linwood Road  
Birmingham, Alabama 35222  
Citizen: USA

**II.** The above-identified application in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this request for a continued prosecution application. Please use all the contents of the prior application file jacket, including the drawings, as the basic papers for the continued prosecution application and assign the application number of the above-identified application to the continued prosecution application.

09/05/2001 SDENB01 00000001 071185 09245603

01 FC:231 355.00 CH  
02 FC:203 27.00 CH

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.53(d) application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

**III. Declaration or Oath**

A. Continuation: ☒ none required: ☐

**IV. Identification of Claims for Further Prosecution**

The fees to be charged are to be based on the number of claims remaining as a result of the:  
☐ attached preliminary amendment.  
☐ unentered amendment filed under 37 CFR 1.116 in the prior application, which is now repeated.  
☒ claims as on file in the prior application.

**V. Fee Calculation**

CLAIMS FOR FEE CALCULATION				
	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$355
TOTAL CLAIMS	23	3	X \$9	\$27
INDEPENDENT CLAIMS	02	0	X \$40	\$
MULTIPLE DEPENDENT CLAIM(S), IF ANY			X \$135	\$
FILING FEE CALCULATION				\$382.00

**VI. Small Entity Statement**

☒ A small entity statement was filed in the parent Serial No. 09/245,603, filed on February 5, 1999 is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

**VII. Fee Payment Being Made at This Time:**

☒ Filing fee: \$382  
☒ Petition for Extension of Time (one month) fee: \$55.00

**TOTAL FILING FEES ENCLOSED \$437**

**VIII. Method of Payment of Fees**

☒ Please charge Deposit Account No. 07-1185 in the total amount of the filing fee.  
☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1185.

**IX. Relate Back--35 U.S.C. 120**

☒ Amend the specification by inserting: "This is a continued prosecution application of application Serial No. 09/245,603, filed on February 5, 1999, now abandoned."

**X. Assignment**

☐ The prior application is assigned of record to University of Alabama at Birmingham Research Foundation

**XI. Power of Attorney**

- ☒ The power appears in the prior application.  
☒ Address all future communications to:

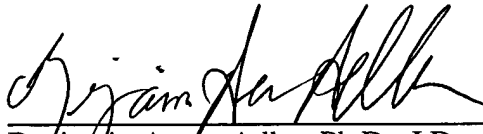
Benjamin Aaron Adler, Ph.D., J.D.  
ADLER & ASSOCIATES  
8011 Candle Lane  
Houston TX 77071  
(713) 270-5391

**XII. Maintenance of Copendency of Prior Application**

- ☒ A petition for extension of time (one month) is attached.

Date:

8/28/01

  
Benjamin Aaron Adler, Ph.D., J.D.  
Registration No. 35,423